

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**JAMES CADDLE et al.**

**Plaintiffs,**

**v.**

**MANLEY DEAS KLOCHALSKI, LLC**

**Defendant.**

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**CIVIL ACTION  
NO. 17-3687**

**ORDER**

**AND NOW**, this 7<sup>th</sup> day of August, 2018, upon consideration of Plaintiffs' Amended Complaint (ECF No. 13), Defendant's Motion to Dismiss (ECF No. 14), Plaintiffs' Response in opposition thereto (ECF No. 18), and Defendant's Reply (ECF No. 16), it is hereby **ORDERED** as follows:

1. Defendant's Motion (ECF No. 14) is **GRANTED in part and DENIED in part**.
2. Defendant's Motion (ECF No. 14) is **GRANTED** as it relates to Plaintiffs' claim under 15 U.S.C. § 1692e(5), and is **DENIED** as it relates to Plaintiffs' claims under 15 U.S.C. § 1692e(2)(A).
3. As it relates to Plaintiffs' claim under 15 U.S.C. § 1692e(10), Defendant's Motion (ECF No. 14) is **GRANTED** insofar as Plaintiffs' claim is based on Defendant's 2016 letter captioned "Response to Payoff Request," and **DENIED** insofar as Plaintiffs' claim is based on Defendant's alleged misconduct in the Court of Common Pleas for Montgomery County.

4. Plaintiffs are granted leave to amend their claim arising under 15 U.S.C. § 1692e(5) within twenty-one (21) days of the filing of this Order and the accompanying Memorandum.
5. Plaintiffs are further granted twenty-one (21) days to respond to this Court's intention to *sua sponte* dismiss Plaintiffs' claim under 15 U.S.C. § 1692g, as explained in the Memorandum accompanying this Order.

BY THE COURT:

/s/ C. Darnell Jones, II

C. Darnell Jones, II J.